

31. (Once Amended) A method of production as a two step process of an integral handle PET container from a preform which has a loop of orientable plastics material at least one loop of orientable plastics material integrally connected at both a first end and a second end to a respective first location and a separate second location on said preform and a locating ring immediately below which is a first non-expanding region and below which is a second non-expanding region; said method including the step of shrouding said loop of said preform during preheating of said preform preparatory to a stretch blow moulding step.

REMARKS

The Office Action mailed December 7, 2001 objected to the disclosure based on an informality. Claims 1-11 and 36-46 were rejected under 35 U.S.C. § 112, second paragraph. Claims 15, 16, 18-30 and 36-46 were rejected under 35 U.S.C. § 112, first paragraph. Claims 1-14, 17 and 33-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshiki et al. (JP 3-90331). Claims 1-14, 17 and 31-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Pryor (WO 96/30189). Claims 33, 47 and 48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bright (U.S. Patent No. 5,674,930). Claims 49-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bright in view of Lin (U.S. Patent No. D376,731).

Objections

The disclosure was objected to due to the informality that on page 19, line 19, "Fig. 346" should be changed to "Fig. 46." The specification has been amended to correct this informality. Thus, the objection to the disclosure has been overcome.

Claim Rejections under 35 U.S.C. § 112, second paragraph

Claims 1-11 and 36-46 were rejected under 35 U.S.C. § 112, second paragraph.

The Office Action rejected Claim 1 stating "like support structure" is indefinite. Claim 1 has been amended to remove the language "or like support structure." Thus, Claim 1 is believed to comply with 35 U.S.C. § 112, second paragraph.

The Office Action rejected Claims 8 and 9 stating "like plastic material" is indefinite. Claims

8 and 9 have been amended to remove the language "or like plastics material." Thus, Claim 8 and 9 are believed to comply with 35 U.S.C. § 112, second paragraph.

No reason was cited in the Office Action for the rejection of Claim 7, 10 or 11 under 35 U.S.C. § 112, second paragraph. Claim 7 depends from Claim 1. Claim 10 depends from Claim 7. Claim 11 depends from Claim 9. Applicant assumes that the reason for these rejections is that these claims depend from other claims rejected under 35 U.S.C. § 112, second paragraph. As stated above, Claims 1, 8 and 9 are believed to comply with 35 U.S.C. § 112, second paragraph. Thus, if the rejection for Claims 7, 10 and 11 are based on depending from other claims that were rejected under 35 U.S.C. § 112, second paragraph, Claims 7, 10 and 11 are also believed to comply with 35 U.S.C. § 112, second paragraph.

Claims 2-6 and 36-46 have been cancelled without prejudice so the rejections of these claims are not addressed herein

Claim Rejections under 35 U.S.C. § 112, first paragraph

Claims 15-16, 18-30 and 36-46 were rejected under 35 U.S.C. § 112, first paragraph.

Claims 15-16 and 36-46 were cancelled without prejudice, so the rejections under 35 U.S.C. § 112, first paragraph are not addressed herein.

In support of the rejection of Claim 18, the Office Action asserts that there is no support in the specification for "a locating ring immediately below a first non-expanding region and below a second non-expanding region." Applicant respectfully disagrees. For example, see page 11 of the specification, beginning on line 16 which reads, "In this arrangement the parison 21 includes a locating ring 14 immediately below which is a first non-expanding region 30 and a second non-expanding region 31. The first non-expanding region 30 may itself be formed so as to be slightly raised or otherwise differentiated from the expandable portion of parison 21. Second non expanding region 31 may not be differentiated from the expandable portion of parison 21 but, in use, the blowing operation will be such as to ensure that the second nonexpanding region 31 is not expanded the blowing process." The specification describes "a locating ring immediately below which is a first non-expanding region and a second non-expanding region" in such a way as to reasonably convey to one skilled in the relevant art that the inventor had possession of the claimed invention

at the time the application was filed. Claim 18 has been cancelled. Claim 1 has been amended to include the limitations of Claim 18. Therefore, the rejection of Claim 18 under 35 U.S.C. § 112, first paragraph is respectfully requested to be reconsidered and withdrawn as to the aspects of Claim 18 included in amended Claim 1.

Claims 19-30 were rejected as depending from rejected Claim 18. As stated above, since amended Claim 1 (which includes the limitations of cancelled Claim 18) has been amended to resolve the rejections under 35 U.S.C. § 112, Claims 19-30 are also believed to comply with 35 U.S.C. § 112. Claims 19, 29 and 30 have been amended so that they no longer depend from cancelled Claim 18.

Rejections under 35 U.S.C. § 102

The Yoshiki et al. reference (Claims 1-14, 17 and 33-35)

Claims 1-14, 17 and 33-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshiki et al. (JP 3-90331). Claim 1 has been amended to include the further limitation of cancelled Claim 18 of “a locating ring immediately below which is a first non-expanding region and below which is a second non-expanding region.” The cited reference does not teach or suggest this feature. Therefore, Claim 1 and the claims depending from Claim 1 (e.g., Claims 7-11) are believed to be patentable over the cited reference. Claims 2-6, 12-14, 17 and 33-35 have been cancelled without prejudiced so the rejections of these claims are not addressed herein.

The Pryor reference (Claims 1-14, 17 and 31-35)

Claims 1-14, 17 and 31-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Pryor (WO 96/30189).

For the reasons discussed above with reference to Yoshiki et al., Amended Claim 1 and the claims depending from Claim 1 (e.g., Claims 7-11) are believed to be patentable over the Pryor reference.

Claims 2-6, 12-14, 17 and 33-35 have been cancelled without prejudice and are not addressed herein.

Claim 31 as amended is not anticipated by the cited reference for several reasons.

First, the amended Claim includes the additional limitation of “a locating ring immediately below which is a first non-expanding region and below which is a second non-expanding region.” This limitation is not in the prior art of record.

Second, the Office Action asserts that Figures 9A-9E of Pryor disclose that “the loop of the preform is shrouded during the preheating of the preform.” Applicant respectfully disagrees. Figures 9A-9E of Pryor do not disclose shrouding of a preform handle during a preheating step as claimed in Claim 31. There is no clear description of shrouding of a handle portion of the preform in Figures 9A-9E of Pryor. The handle of Pryor is not connected integrally at a first and second end as required in Claim 31. The preheating step required in Claim 31 is a two step process and is performed preparatory to a stretch blow moulding step. Figures 9A-9E of Pryor show a preform already within a mould ready for stretching to conform the mould. This is shown in Figures 9A-9E of Pryor as part of the stretch blow moulding step, not a step preparatory to the stretch blow moulding step. Since the cited reference does not teach or suggest all of the Claim limitations of Claim 31, Claim 31 is believed patentable over the cited reference.

Since Claim 31 is believed patentable over the cited reference, Claim 32 which depends from Claim 31 is also believed patentable.

The Bright Reference (Claims 33, 47 and 48)

Claims 33, 47 and 48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bright (U.S. Patent No. 5,674,930). Claims 33, 47 and 48 have been cancelled without prejudice and are not addressed herein.

Rejections under 35 U.S.C. § 103

Claims 49-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bright in view of Lin (U.S. Patent No. D376,731). Claims 49-54 have been cancelled without prejudice and are not addressed herein.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that all of the remaining Claims,

namely, Claims 1, 7-11 and 19-32 are patentable over the prior art of record. Therefore, Applicant requests that the application be passed to issue. Should the Examiner have any questions or any suggestions for expediting the allowance of the claims, she is invited to contact Applicant's representative at the number listed below.

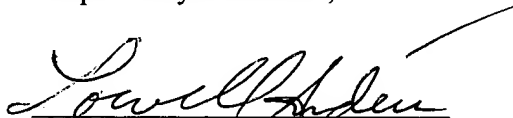
Attached hereto is a marked-up version of the changes made to the claims by the current Amendment. The attached page is captioned "Version with markings to show changes made".

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 6/7/02

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

The paragraph beginning at page 19, line 19 has been amended as follows:

Fig. ~~34646~~ illustrates an alternative form of construction of a loop 313 which, in this instance, again comprises an elongate, stem-like structure including reinforcing ribs 314 but having, in this instance, a deflectable portion 315 which is connected on one side by a first bridge portion 316 to the balance of the loop 313 and, at its other end by a second bridge portion 317 integrally to container wall 318.

In the Claims:

Claims 2-6, 12-18 and 33-54 have been cancelled without prejudice.

Claims 1, 8-9, 19 and 29-31 have been amended as follows:

1. (Once Amended) A preform for a container comprised of orientable plastics material and arranged so that the resultant blown container will include a handle ~~or like support structure~~, said preform comprising:

a moulded structure having a neck portion and an expandable portion below the neck, at least one loop of orientable plastics material integrally connected at both a first end and a second end to a respective first location and a separate second location on said preform which when the container is formed constitutes said handle;
a locating ring immediately below which is a first non-expanding region, and below which is a second non-expanding region.

8. (Once Amended) The parison of Claim 7 wherein a first point of injection permits injection of non-recycled PET ~~or like plastics material~~.

9. (Twice Amended) The parison of Claim 7 wherein a second point of injection permits injection of PET ~~or like plastics material~~ incorporating at least a portion of recycled material.

19. (Twice Amended) The preform of Claim ~~18~~1 wherein the first non-expanding region is formed so as to be slightly raised or otherwise differentiated from the expandable portion of said preform.

29. (Twice Amended) A container stretch blow moulded from the preform of claim ~~18~~1.

30. (Twice Amended) A container made from PET material and stretch blow moulded from the preform of Claim ~~18~~1.

31. (Once Amended) A method of production as a two step process of an integral handle PET container from a preform which has a loop of orientable plastics material at least one loop of orientable plastics material integrally connected at both a first end and a second end to a respective first location and a separate second location on said preform and a locating ring immediately below which is a first non-expanding region and below which is a second non-expanding region; said method including the step of shrouding said loop of said preform during preheating of said preform preparatory to a stretch-blow-moulding-step.

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